President is understood to have sent in his statement, and Private Secretary Thurster lost no time in doing likewise. Col. Crook, the disbursing officer of the Faccutive Mansion, says he has received no instructions from the Treasury Propartment to deduct the tax from Mr. Cleveland's compensation as a public officer. He, like other disbursing officers of the Government, will be guided by the instructions contained in a circular sent to paymasters and disbursing officers by the Secretary of the Treasury, as follows:

The regulations relative to income tax, approved Dec. 13, 1894, provide that "all salaries or compensation paid to officers or persons in the employ of the Government of the United States, in and for the calendar year 1894, shall be included in the annual persona. As the income tax for that year."

As the income tax on such salaries or compensations will, under the provision above quoted, he paid directly to collectors by the persons receiving the same, you will therefore not deduct and withhold the aforesaid tax or any part thereof from the salary or compensation of any such officer or employee in and for the year 1894. You will inform all such officers and employees to whom you may make any payment for services rendered in the year 1894, of the method prescribed for the refurn and payment of the tax on all anyable salaries and compensations paid by the Govern-

scribed for the seturn and payment of the tax of all saxable salaries and compensations paid by the dovernment in and for said year.

The collection of the tax for the year 1895, by deducting from the compensation of Government officers, is operative immediately in the case of a number of officials, notably all the Ambassadors of the United States and the Minister to Mexico, and the Consula-tieners at London and Paris. Under the method to be pursued the deductions will be made from the first payment to an officer after his compensation has reached \$4,000 during the present year. A simple example will make this method clear: A Cabinet officer receives \$8,000 per year in salary. On July 1 next he will have received \$4,000 in salary for the present calendar year. On Aug I, when he will receive his salary for the preceding month, the disbursing officer will deduct two per cent. of the monthly salary, about \$13, and so continue at each monthly payment until the end of the year. There will be no separation of taxable income received from the Government and from private sources by a Government officer in levying the tax, so that an officer whose salary as a Federal employee may be taxable, and whose private income does not exceed \$4,000 will, not escape with the deduction from his official compensation, but must pay, it is claimed, on the basis of the addition of his annual receipts from all sources, public and private. Thus a Cabinet officer who has \$1,000 a year from private sources, must pay two per cent of that amount to the collector of internal recenue in the district where he has legal residence, while one-half of his official compensation of \$8,000 is likewise subject to a deduction of two per cent. by the disbursing officer of his department.

## TO DEMAND A REHEARING. A Petition as to the Income Tax Becision

Will Be Filed To-day. petition for a rehearing of the income tax cases decided by the Supreme Court on Monday will be filed to-day by counsel for the appellants. Joseph H. Choate, Clarence A. Seward, Benjamin H. Bristow, William D. Guthrie, David Wilcox, and Charles Steele. The cases were those of Charles Pollock agt. the Farmers' Loan and Trust Company and others, and Lewis H. Hyde agt. the Continental Trust Company of the City of New York and others. It is asked that the rehearing take place before a full bench, and the counsel are confident that they will yet break down the entire law. The motion for the rehearing will probably be made on Monday. The appellants submit the following

reasons why their prayer should be granted: "The question involved in these cases was as to the constitutionality of the provisions of the Tariff act of Aug. 28, 1894 (sections 27 to 37), purporting to impose a tax upon incomes. The ourt has held that the same are unconstituional, so far as they purport to impose a tax apon the rent or income of lands and income derived from municipal bonds. It has, however, announced that it was equally divided in opinion as to the following questions, and has expressed no opinion in regard to them: (1.) Whether the void provisions as to rents.

&c., invalidate the whole act. (2.) Whether, as to the income from personal property, the act is unconstitutional as laying direct taxes.

"(3.) Whether any part of the tax, if not con sidered as a direct tax, is invalid for want of The court has reversed the decree of the

Circuit Court and remanded the case, with directions to enter a decree in favor of comdirections to enter a decree in favor of com-plainant in respect only to the voluntary pay-ment of the tax on the rents and income of defendant's real estate and on the income from the nunicipal bonds heid by it. While, there-fore, the two points above stated have been decided, there has been no decision of the re-maining questions regarding the constitution-ality of the act, and no judgment authori-tatively establishing any principle for inter-pretation of the statute has been announced. This court, having been established by the Con-stitution, and its judicial power extending to all cases in law and equity arising under the laws of the United States, must be the ultimate tribunal for the determination of these ques-tions. In all cases in which such questions may arise, there can, therefore, be no authoritative decision in reference to the same except by this court.

"This court early in its history adouted the

"This court early in its history adopted the "This court early in its history adopted to practice of requiring constitutional questions to be heard by a full court, in order that the judg-ment in such case might, if possible, be the de-cision of the majority of the whole court. This rule was announced by Chief Justice Marshall

claim of the majority of the whole court. This rule was announced by Chief Justice Marshall in the following language:

"The practice of this court is not (except in cases of absolute necessity) to deliver any judgment in cases where constitutional questions are involved, unless four Judges concur in opinion, thus making the decision that of a majority of the whole court. In the present case four Judges do not concur in opinion as to the constitutional questions which have been argued. The Court therefore direct these cases to be reargued at the next term, under the expectation that a larger number of the Judges may then be present.

"The same cases were avain called at the next

argue at the next tend, under the expectation into the real same cases were again called at the next term of the court, and the Chief Justice said the court could not know whether there would be a full court during the term: but as the court was then composed, the constitutional cases would not be taken up (6 Peters, 85). In a note to the cases upon that page it was stated that during that term the court was composed of six Judges, the full court at the time being seven; there was then a vacancy occasioned by the resignation of Mr. Justice Duval, which had not yet been filled. The rule laid down by Chief Justice Marshall has been frequently followed. It is recognized as established in Phillipe Practice, at page 380.

"It is respectfully submitted that no case

recognized as established in Phillips' Practice, at page 380.

"It is respectfully submitted that no case could arise more imperatively requiring the application of the rule than the present. The pracise question involved is the constitutionality of an act of Congress affecting the citizens of the country generally. That act has been held unconstitutional in important respects; its constitutionality has not been authoritatively decided as to the remaining portions; but one half of the members of the court sitting deem it unconstitutional in every respect. These complainants and appellants may well urge that before their trustee expends their funds in payment of the tax, regarding which these serious constitutional questions exist, they should be ultimately and finally decided. In addition to that, it is manifest that, until some decision is reached, the courts will be overwhelmed with litigation upon these questions, and the payment and collection of the tax will be most seriously embarrassed.

New York yesterday. The action is one in equity, and is brought by Charles Allen of Greenfield, Mass., against the Illinois Centra Railroad Company and Stuyvesant Fish, Edward H. Harriman, Charles A. Peabody, Jr. John Jacob Astor, John W. Auchineloss, Stephen V. R. Cruger, Walther Luttgen, John P. Altgeld, Benjamin F. Ayer, John C. Welling. John W. Doane, and Charles M. Beach, director Gov. Altgeld is a director by virtue of his office se Governor of Illinois. Mr. Allen is a stockolder of the Illinois Central. He has placed his cause in the hands of Seward, Guthrie Morawetz & Steele of 29 Nassau street, who had charge of the Pollock case, which the Supreme Court decided on Monday. Joseph H. Choate is associated with them as counsel, as he was in Pollack case. The list of counsel appearing

the bill is Joseph H. Cheate, Clarence A.

Seward, William D. Guthrie, David Wilcox, and Charles Steele. The complainant meets the court on its own

ground in respect to Monday's decision that income from rentals of real estate is exempt from the operations of the law. The bill sets forth that a large part of the railroad company's income is from rentals of real estate, and avers further that more than \$1,000,000 of its income is from personal property, upon which the in come tax law would operate as a direct tax, not apportioned among the several States, and so be in contravention of the constitutional provision. Among the other new grounds for contesting the law the bill sets forth the exemption of mutual insurance companies, while the regular stock companies are required to pay the tax, and the exemption of building and loan associations and mutual savings banks. Another ground is that the defendant company is, by the terms of the leases of other lines which it holds. bound to pay all taxes imposed on them, and so intends to pay the income taxes assessed upon them. This, it is claimed, is a misapplication and waste of funds, inasmuch as the law imposing those taxes is void, because those rentals are rentals of real estate.

Mr. Allen brings his bill of complaint, in behalf of himself and all other stockholders who are similarly situated, and who shall be entitled to avail themselves of the benefit of the suit. The complaint says that a large part of the defendant company's earnings are derived from which roads and their fixtures and appurtenances are real estate, and the earnings of which are rentals, issues, and profits of land within the meaning of the Constitution and laws of the United States.

The complaint continues in part:

"Your orator further averaths the defendant railroad company is and forseveralyears last pacting in value to over the sum of \$30,000,000, and that its net profits or income include the sum of \$1,500,000 per annum and amounted to at least said sum during the year 1804, derived exclusively from the income, issues, and profits of summary of the defendant railroad company during the year ending Dec. 31, 1894, amounted, to the best of your orator's knowledge, to more than \$2,500,000 above its actual operating and business expenses, that about one holes or freight collected upon and in connection with its said railroad and leases that about one his income arises from income, issues, and profits of real estate, and that about one-lail of such net profits and income arises from income, issues, and profit of its defendant railroad company and a majority of its directors assert that under the alleged authority of the provisions of the income Tax law, the railroad company is liable and that Government before the first day of July, 1805, a tax of 2 per cent, on all the net profits or income of said defendant railroad company for the calendar vear ending Dec. 31, 1894, Your orator avers that the projuct of the direct tax in respect to the railway property, fixtures, and appurtenances operated and owned by the defendant railway property, fixtures, and appurtenances operated and owned by the defendant railway property, fixtures, and appurtenances operated and owned by the defendant railway property, fixtures, and appurtenances operated and owned by the defendant railway property, fixtures, and appurtenances operated and profits thereof, which direct taxs are not in and thy asid act apportioned among the several lates of a defendant and profits thereof, which direct taxs are not in and thy asid act apportioned among the several lates of a defendant and profits thereof, which direct taxs are not in an appurent of the property of a defendant of a defendant of a defendant of a defendant of a defe

recognized as established in Phillips Practice, at page 350, it is respectfully aumitted that no case of the respect the respect that the present. The practae question involved is the constitutional into the rite of the country generally. That act has been held inconstitutional in portant respects, it soon cided as to the remaining portions; but one-half of the members of the count sitting deem it unconstitutional in every respect. These complainants ami appellants may well urge that be utilimately and finally decided. In addition to that, it is manifest that, until some decision is reachad, the courts will be overwhelmed with respection of the tax will be most seriously embarrassed.

"Every taxpayer to any considerable extent will pay the tax under protest and sand to recommend the court. The court will, of necessity, be burdened with respections without number until they are finally settled. Still further, as the matter now stands, it has been inclined into a tax upon the court. The court will, of necessity, be burdened with respections without number until they are finally settled. Still further, as the matter now stands, it has been inclined into a tax upon the court. The court will, of necessity, be burdened with respections whether a tax upon the court will be decided to the tax upon income of personal property is lawful. Serious questions have, therefore, already arisen as to which is the torone of real and what of the sature of the court will be decided to the same of the court will be decided to the court wil

LEVYING THE INCOME TAX. Busy Days Now at the Internal Revenue

Collectors' Offices. The income tax divisions of the internal reveue collectors' offices were busice yesterday than on Tuesday, and the collectors expect that each day until Monday will be more busy than its predecessor. The offices were ful! of callers all day long, and every mail brought bundles of returns which had been sworn to before notaries The collectors desire to call attention to the fact that when acl:nowledgments are made pefore notaries the notary's seal must be affixed to the affidavit or the return cannot be received. In the up-town office, in the third district, the collector has also met with some embarrassment

well as to make return by mail sending in un-certified checks. "I would like to have tax-payers romember," said Collector Grosse, "that not accept uncertified checks, even though they be for so small an amount as \$1.50. I have in such cases either to send to the bank imme diately or to send back the check, and we have not the time to go to unnecessary trouble in such a matter." At Collector Sullivan's office, in the first dis-

trict, the receipts of cash for income taxes were

practically nothing yesterday, Mr. Sullivan said, but in the second district it was said that several thousand dollars was received. Deputy Collector Ackerman said that the receipts of cash both on yesterday and the day before amounted to more than for the whole of the previous time the income tax division of the office had been in operation. But of the whole number of persons who made return yesterday and the day before those who paid their taxes numbered less than two per cent. All the payments of the last two days were made under protest, in expectation of further litigation, and with a view to protecting the taxpayer's interests. The second district office has disbursed altogether 40,000 individual return blanks, although two months ago it was estimated that the persons in the district required to make return numbered about 30,000. In addition to these blanks about 3,000 corporation blanks were given out by the second district office. At an early hour yesterday afternoon the office had on hand only a few blanks of either kind, and 10,000 more had been asked for and were expected to arrive this morning from Washington. The first district office, too, had nearly exhausted its supply early in the day, but was in expectation of the receipt of more blanks before those on hand had absolutely run out. The Brooklyn office was in a similar fix, and sought to borrow some blanks from this city, but the first law of nature forbade the New York collectors to help their brother out.

Collector Groese appears to be an ardent advocate of the income tax, and desired to emphasize the fact that he had heard very little opposition to it. The reporters to whom the collector was speaking had before going to the collector was speaking had before going to the collector's room been sitting for an hour in the returning room and listening to the emphatic and sometimes profune denunciation of the law and all its parts, its authors and administrators, by men who had called to make returns and had been unable to get definite information of its requirements from the office staff. That the collector had not heard much opposition to the measure may speak well for the politieness of expectation of the receipt of more blanks before lector had not heard much opposition to the measure may speak well for the politeness of the average American in dealing with public officers, or it may mean that the partitions in the German-American Savings Bank building are sound proof. One of the men who denounced the tax said: "This thing has changed my political complexion. I can tell you." Another said: "I'l like to have my choice now of running on the Democratic or Republican ticket for an elective office. The Democrats would be nowhere."

where."

It was estimated that at least 1,500 persons had made return in the third district up to 2 o'clock in the afternoon yesterday, but it was said that six out of ten who made return were not taxpayers. Some men whose incomes ran up to hundreds of thousands of dollars, it was said, avoided the payment of the tax because of the various exemptions. Of course all definite information was refused because of the law's provisions enjoining secrecy. information was refused because of the law's provisions enjoining secrecy.

The third district of this city is the largest in the estimated number of individual taxpayers in the country. The next one to it is the first lilinois district including Chicago. It is estimated at Collector Grosse's office, although the collector himself does not name these figures, that the tax throughout the country should secure \$15,000,000 for the Government.

One of the complications likely soon to arise over the tax is in regard to the requirement of the law calling for a return to be made by all whose income is \$3,500 or more. Since the decision of Monday exempting income from real estate, neither of the offices in this city has followed a uniform practice regarding the matter cision of Monday exempting income from real estate, neither of the offices in this city has followed a uniform practice regarding the matter of returns. In the absence of instructions from Washington, the prevailing practice at both offices since Monday has been not to require a return from a person whose income from other sources than real estate amounted to less than \$3,500, aithough his total income might be \$16,000 or more. A man came to the second district office yesterday and said: "My income is \$10,000, but \$9,000 is from real estate. Do you want me to make a return?" The answer was "No," and the man went away happy. In the third district office ex-School Commissioner Henry Schmitt, who called to make a return for a client, was told in a similar case that no return was wanted. He insisted on leaving the return, however, saying he would comply with the law as he read it, and he took the name of the clerk with whom he left the return. In the same office Deputy Collector Ackerman said that as he read the law a return was required for all incomes over \$3,500, no matter whether any part was subject to the tax.

Collector Grosse said the canvass of his district was practically completed, and that after April 15 he should be ready to scrutinize the returns for error or fraud.

THE WAR AGAINST PLATT.

Brookfield Men in Control in the Fifteentl Election District. Isaac J. Siskind, who was selected by the Brookfield faction to capture the Republican organization in the Fifteenth Assembly District has by the judicious use of municipal patronage placed at his disposal succeeded in winning over to his standard a bare majority of the thirtynine election district captains who formerly sixth street this resolution was adopted sixth street this resolution was adopted:
That it is the desire of this meeting that Isnac J.
Sixthad be made the accredited representative of the
Republican election district organizations of this sembly district to secure from the officials of the different departments of the city Government the patronage to which the district is entitled.

ferent departments of the city Government the patronage to which the district is cultied.

This resolution was signed by twenty of the thirty-nine election district captains of the Fifteenth. Its spirit is in direct violation of the constitution of the Republican County Committee and the plan of the Committee of Thirty, but it is understood to meet with commendation on the part of William Brookfield. Gen. C. H. T. Collis, Cornelius N. Bliss, and other members of the Committee of Thirty because it is done for the purpose of knocking out the Platt influence in the Assembly district. Another member of the Committee of Thirty, Charles A. Flammer, is the accredited Brookfield leader and patronage dispenser in the Seventeenth Assembly district.

These local patronage dispensers have their troubles, too. They are growling because so many up-country-friends and relatives of legislators are getting places in the municipal administration when there are not enough places to satisfy the local demand. They say that the passage or prevention of legislation procured by such appointments costs too much when the number of voters who are thereby alienated from the faction is considered.

of voters who are thereby alienated from the faction is considered.

Police System. Police Commissioner Andrews went by invitation to Good Government Club X's rooms at 240 Henry street last night to take part in a discussion of the police question. Commissioner Andrews said among other things:
"The four-headed system I can say, without hesitation, is a bad one. Even, however, if it is retained, much good may be done by judicious retained, much good may be done by judiclous use of in power.

"The Superintendent ought to be the executive head of the Police Dopartment. I broached that soon after my appointment, but, as you know, my object was blocked. He ought also to be allowed to select his own men for, being responsible for his work, it is hardly right that he should not be allowed to choose the men whom he thinks best fitted for the department."

Andrews Disapproves of a Four-headed

President Murray of the Excise Board President Murray of the Excise Board went to Albany yesterday to join Alfred R. Page,

to Albany yesterday to Join Alfred R. Page, counsel to the Board, who has been there several days, in an effort to convince the State Civil Service Commissioners that excise inspectors ought not to be put in the competitive class. Incidentally they will probably offer more or less convincing arguments to legislators to prevent the passage of any excise law which would affect their official existence. Robert J. Wright May Get a Place, It was said yesterday that, should the bill diriding the Department of Charities and Correcion become a law, Robert J. Wright of 450 East 118th street will be appointed Commissioner of Chartiles. Mr. Wright, who is a dealer in fer-tilizers, was at one time on the slate for appoin-ment as Dock Commissioner. He is a Brookfield Parabilizer.

JABEZ BALFOUR ACTUALLY CAUGHT

A British Steamer Hound for London Has the Swindler on Board. BUENOS AYRES, April 10.-The steamer Tarar Prince, with the fugitive defrauder of Engbuilding secieties, Jabez Spencer Balfour. on board, is still detained here by low tide Yesterday the Criminal Judge of Salta sent offiresterday the Criminal Judge of Salta sent offi-cers on board the steamer to demand the sur-render of Balfour. The Captain of the ship communicated with the British Minister on the subject, and he laid the matter before the For-sign Minister. The result was that the Foreign Minister sent a detachment of soldlers to pre-vent Halfour from relanding.

LONDON, April 10.—A despatch from Buenos Ayres to the Gloke says the steamer Tartar Prince, with Jabez Spencer Balfour on board, salled from that port for London this afternoon.

Get Your Share of the Bargains from persons who desire to pay their taxes as . In furniture at Flint's, 45 West 23d st .- Adv.

PEACE MAY BE DELAYED.

CHINA WILL NOT CEDE A PART OF MANCHURIA,

But Japan Boss Not Abate Her Demands for Territory - Indignation Felt at Shanghal Against the Shippers of the Seized Tiksang's Cargo of Cartridges-Forty Chinese Soldiers Killed by the Explosion of a Magazine at Noosung. LONDON, April 10.-The Standard's Berlin cor-

espondent says:
"I learn from a Chinese source that there is reason to doubt the present optimistic expecta-tions of peace. Japan has not abated her excessive lemands, especially as to the cession of part of Manchurla, to which China on no account will

The Central News correspondent in Simone oki says there was a two-hour conference between the Chinese and Japanese negotiators to lay. Li Hung Chang was present, with all the other members of the Chinese mission. Of the apanese negotiators only M. Mutsu, Minister of Foreign Affairs, was absent. He has the in-

The Central News correspondent in Shaughai says that during the practice firing in the Woo-Sung forts to-day a magazine accidentally exploded. Forty soldiers were killed and many more were wounded,

A despatch to Shanghai says the British steamer Yiksan g, which was seized by the Japanese near Taku while conveying a large quantity of cartridges, has been taken to Port A despatch from Simonosoki says Li Hung

Chang has completely recovered from his injury, and will personally resume negotiations with the Japanese plenipotentiaries to A Central News despatch from Shanghai says the greatest indignation is felt there against the shippers of the cartridges which were seized on board the steamer Yiksang for falsely declaring the character of the yeasel's cargo. It is re garded as disgraceful, too, that the customs of ficials who examined the cargo should have passed them, and from the fact that they did so it is supposed that they are implicated in the affair. The owners of the vessel are held blameless. English vessels are being strictly searched,

but German vessels are not.

The Times correspondent in Hong Kong says hat Chinese robbers are plundering in Formoss, and several foreigners have gone ashore at Tai Wan to help the Chinese officers punish

ouncement that seven of Japan's eight cond!tions have been accepted by Peace Commissioner Li Hung Chang is very gratifying to diplomats here who have no longer any doubt that a peace proclamation will speedily result. As under-stood in Washington, the eight conditions were

Independence of Corea.
 Cession of Formosa.
 Cession of Liang-Ton Promontory, including Port

a. Cession of them. Formontory, including Port Arthur.

4. War indemnity.

4. War indemnity.

4. War indemnity.

4. War indemnity.

5. War indemnity.

6. Modification of the Likin tax and extension of the system of transit passes for imports.

7. Opening certain Chinne e rivers to commerce, including the Yang-Tse-Kinng to Chung-King, the Sing, from Han-Kow on the Yang-Tse-to Sang-Tan-Kiang, from Han-Kow on the Yang-Tse-to Sang-Tan-Kiang, the Canton River to outhow, and the Woosung and its canals as far as Suchow and Hang-Chow.

8. Railway netwiges and similar concessions to Japanese and foreign capitalists.

In addition to these conditions it is believed

In addition to these conditions it is believed that certain promises have been or will be ex-acted from China, the terms of which are to rethat certain promises have been or will be exacted from China, the terms of which are to remain secret.

The condition which it is thought has not yet been accepted by Li Hung Chang is number three, providing for the occupation of a portion of the territory known as the Regent's Sword and the citadel of Port Arthur. That this would be most strenuously opposed by China has all along been undoubted, and it has been predicted that it might prove a stumbling block of such dimensions as to prevent peace unless some compromise could be agreed upon as to the length of the occupation, the Chinese being likely to insist that it should not be permanent.

All the other conditions except that of indemnity have been the subject of diplomatic consideration for many years, and all the treaty powers are as deeply interested in them as Japan has been. The United States have been particularly active in urging the abolition of the Likin tax, which is not unlike the octrol of France, through less reasonable and less limited than the French system. The independence of Corea has always been a contention, and the United States have firmly maintained that Corea was to be treated as an independent nation since her Minister at Washington was recognized ten years ago.

THE SHOOTING OF LI HUNG CHANG. The Police Closed in on the Assassin Be-fore He Could Fire Twice. VANCOUVER, B. C., April 10.-The following

Japanese advices have been received by the steamer Empress of Japan which has just arrived at this port: The attempt on the life of Li Hung Chang is reems to have been the one thing needed to strengthen China's cause, by winning from the side of the hot-blooded war party a large proportion of their most representative adherents. United States Minister Dun is quoted as having said as late as March 26 that he expects and

thoroubly believes that peace will be declared before the end of April. Viceroy Li Hung Chang, despite his years and the nervous exhaustion which increasing dangers and difficulties had brought on him during the last few months, has rallied well, and even before the departure of the Empress of China was confidently reported as out of danger. The gates of the conference hall, the Shupa-Nio Hotel at Simonosoki, which had been closed since the attempted assassination, were opened on March 28 at 3 o'clock in the afternoon. The precautions taken after the shooting to prevent any would-be imitator of the homicidal crank

continued in full force by the police. The high officials held technically blameabe for the shooting, and who at once reported themselves for punishment, have not yet been dealt with, though others have replaced them in the offices which they had filled.

from reaching the presence of the Viceroy are

Koyama Toyotaeo, otherwise called Koyama

offices which they had filled.

Koyama Toyotaco, otherwise called Koyama Rokumosuke, the would-be assessin of Li Hung Chang, was arraigned for his crime in the Yamaguchi District Court on March 26, having been taken to the court room in a jinrikishi, guarded by an inspector and three policemen. His dress was the regulation blue kimono of a prisoner, and when placed in the dock his handcuffs were not removed. His crime was classified, as had been decided by the Simonosoki local court, as "unconsummated premeditated murder." During the progress of the hearing in the upper court the circumstances of the shooting were related in the minutest detail, as follows:

The street along which the Chinese Envoy had to pass from the conference hall was lined with aspectators, and a small road striking off to the left at the corner of the police station, being in reality a continuation of the street along which the procession had to turn in order to reach the Chinese envoy's quarters in the Insetsuji Temple, was crowded with people waiting to see the envoy when he should turn off the main street. The corner opposite the police station, and coupled as a gendarmeric station, and in front of this the crowd was less deuse.

Prior to the appearance of the chair containing Li Hung Chang, the prisoner, dark browed, about 22 years of age, apparently a Soshi, attired in a mean-looking kinono withouts harri, and wearing a calico girdle and a dirty pair of momobiki, was seen walking about in front of the crowd. The police paid no special attention to him, as they had no cause to suspect that his presence was prompted by anything other than the casual curiosity that had brought out the great crowd.

It was when the Viceroy's chair was opposite the house of an umbrails make anyther to the context of the chair condi-

presence was prompted by anything other than the casual curiosity that had brought out the great crowd.

It was when the Viceroy's chair was opposite the house of an umbrella maker, next door to the gendarmeric station, that the shot was afred. The police at once closed in on the prisoner before he could fire a second shot from the small single-action weapon which he carried, and arrested him without difficulty. It was a fortunate circumstance for Li Hung Chang that his assailant was the mercast novice in the use of firearms; fortunate, too, that the weapon was not a doble-action one.

There is much fear that Japan will be afflicted with an spidemic of cholera this year. The disease has already made its appearance at Moji, a town at the entrance to the inland sea, whence large quantities of coal are experted, but has not thus far succeeded in spreading. It has shown itself also in some of the transports although happily not when troops were on board, and it is reported finally from Talien. The disease may prove of more protection to China than all her armies and ships.

From Sept. 21 to March 8 the Japanese casualities in the war with China were: Killed in battles in the war with China were: Killed in battles in the war with China were: Killed in battles in the war with China were: Killed in battles in the war with China were: Killed in battles in the war with China were: Killed in battles in the war with China were: Killed in battles in the war with China were: Killed in battles in the war with China were: Killed in battles in the war with China were: Killed in battles in the war with China were: Killed in battles in the war with China were: Killed in battles in the war with China were: Killed in battles in the war with China were: Killed in battles in the war with China were: Killed in battles in the war with China were: Killed in battles in the war with China were: Killed in battles in the war with China were: Killed in battles in the war with China were: Killed in battles in the war with China were: Killed

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Agents for the Celebrated THE PARTY OF THE P REYNIER

Lord & Taylor.

show the character of the man's mind. In conversation with those about him he frankly admits the weakness displayed by China and expresses regret for it for her sake, but at the same time he thinks that the defeat of China will advance the cause of civilization in the East, and is therefore not altogether regrettable. Details of the battle fought at Tapingshan on Feb. 24 between about 8,000 Japanese and 12,000 Chinese under Gen. Sung show that the Japanese troops left their quarters at 2 A. M. and did not get back until 11 P. M. having thus been twenty-one hours under arms and having marched the whole time in heavy snow. Frost-bites were numerous. The casualites from the enemy were 13 killed and 31 wounded, but the number of victims of frost was nearly 700.

SPEAKER PEEL'S SUCCESSOR. William Court Gully Elected Over Sir Mat-

thew Ridley, 285 to 274. LONDON, April 10.-The House of Commons met at noon to-day and proceeded at once to the election of a Speaker to succeed the Right Hon. Arthur Wellesley Peel, resigned. Mr. Samuel Whitbread proposed the name of Mr. William Court Gully, Liberal, whose nomination was seconded by Mr. Augustine Birrell. Sir John

seconded by Mr. Augustine Birrell. Sir John Mowbray nominated and Mr. John Lloyd Wharton seconded the nomination of Sir Matthew White Ridley, Conservative.

Mr. A. J. Baifour, the leader of the Opposition, said that the Government's support of Mr. Gully was without precedent, and, he believed, dangerous to the future efficiency of the House. Mr. Gully, he said, was unknown as regards the work of the House, having neither taken part in its debates nor served on any of its committees. Sir William Harcourt severely criticised Mr. Baifour's bad example in making the question of the election of a Speaker a matter of party discussion.

Mr. Gully was elected by a vote of 285 to 274. The Parnellite members voted for the Conservative candidate, Sir Matthew W. Ridley. Mr. Gully expressed his thanks to the House for his election, and his appreciation of the honor and great responsibility which they had conferred upon him.

Sir William Harcourt and Mr. Balfour congratulated Mr. Gully on behalf of their respective parties, and the House adjourned until April 22, for the Easter recess.

THE ARMENIAN OUTRAGES. Statements in London that the Accounts

Are Greatly Exaggerated. MANCHESTER, April 10 -The Guardian asset hat a number of Conservative members of the House of Commons met in London on Monday to hear a statement from Senor Ximinez, the Spanish traveller, who has been making a tour of Armenia. Señor Ximenez denied the exist-ence in Armenia of anything like the widespread outrages which are reported to have been com-mitted. All of the Turkish soldiers engaged in the suppression of the revolt were regulars. They massacred men where they met them in

They massacred men where they met them in armed resistance, but they did not at any time stack women and children. The total number of Armenian Christians killed, he said, was less than 300.

Commoner Commerell, who has just returned from Constantinople, was present. He denounced the stories of atrocities in Armenia as unfounded, and accused the Turkish agent of a prominent London daily of having acted in had faith in the matter of sending information to his paper.

Americans Want the London Cheque Sank, London, April 10 .- At a meeting of the directors of the Cheque Bank this afternoon the Chairman announced that an influential American company had offered a large sum for the purchase of the good will of the American agency of the bank and had agreed also to deposit a substantial sum as security, to be forested if their contract should not be carried out. The directors regard the offer very favorably. The manager of the bank is now in the United States.

British Advances in Chitral. LONDON, April 10. - Advices from Chitral say he enemy have evacuated that country as far as the Panjkora River. The British sappers have succeeded in bridging the Swat River without molestation. The immediate followers of Umra Khan have dwindled to about 600 riflemen.



## Catarrh

Is a constitutional disease and as such requires a constitutional remedy like Hood's Sarsaparilla, the great blood purifier. Mr. Hood's Savarese, whose statement follows, is a foreman in Erie Sarsaparilla Basin, Brooklyn.
"For 8 years I have had

CUBANS FEEL CONFIDENT.

MENCADA'S DEATH WILL NOT CRIP-PLE THE CAUSE.

Even the Civil Guard of Cuba Infected with the Spirit of Revolt-Governor-General Campon Will Find His Men Unable to Cope with the Patriot Bands in the Mountains -An Enthustantic Meeting Last Night.

Gonzalo de Quesada, Secretary of the Cuban revolutionary party, arrived in New York from Tampa yesterday. He is prore confident than ever of the ultimate success of the revolutionary party, which has received a great accession in strength by the arrival of Gen. Macec.
"Of course," he said, "Moncada is a heavy

loss, but now that Maceo has arrived even Moncada's death, great man as he was, will not seriously imperil the cause. Moncada has been suf-fering from lung trouble for a long time, and we knew that the end must come some day."

Mr. Quesada does not believe in the story of

the murder of the American skipper off Cape Maysi about three or four days ago. He said the Spanish gunboat Contramaestre captured two sailors off Cape Cruz. The sailors are supposed to be Haytians who had come to enlist or the side of the revolutionists. They were taken to Santlago de Cuba and thrown into prison, though their boat contained no arms nor was there any evidence against them.

At Matanzas twelve of the Civil Guard, he said, were arrested on the charge of sympathizsaid, were arrested on the charge of sympathizing with the insurgents. The Civil Guard is the
best equipped force in the Island, being one of
the few divisions of the Government troops that
is fully armed. It was feared that they would
desort and join the insurgents.
The prospects of a speedy trial for the two
Americans imprisoned in Santiago de Cuba, he
says, is remote. The Government promised a
speedy trial for Sanguilly, but he is still in
prison.

A prominent Cuban, who is in the confidence.

The prospects of a speedy trial for the two americans imprisoned in Santiago de Cuba, he says, is remote. The Government promised a speedy trial for Sanguilly, but he is still in prison.

A prominent Cuban, who is in the confidence of the leaders of the revolutionary party, spoke about the prospects of the revolution yesterday. He said:

"Campoo's arrival will make very little difference. The first thing be will do is to offer pardon to all insurgents who will lay down their arms. That will merely be to gain time. Then when he takes the field he will find difficulties on every side. His 10,000 men are utterly inadequate to meet and rout the numerous Cuban bands. If he pursue the Sherman method of marching straight on the enamy's camp and burning and destroying all the intervening plantations, he will alienate the sympathies of the few who still favor the Government, and besides, the Spanish troops will have destroyed their only means of obtaining food. As it is they are poorly armed and equipped. The large stock of arms which was supposed to be stored in Havana has turned out to be a myth. These arms are in the hands of the revolutionists, to whom they have been sold from time to time by the Spanish officials.

"If once we could establish a government we should be all right; for should the Spaniards evacuate the island, in order to attend to their homedifficulties, we could obtain recognition as a republic from the United States, and would then fall under the Monroe doctrine. We would have no difficulty in borrowing money until we had developed our resources, for it would be understood that we would not repudiate our debts, each successive administration being responsible for that which preceded it. What we have got to do is to tire out the Spaniards and let the yellow fever do its work. There should be no difficulty in borrowing money until we had developed our resources, for it would be understood that we were successful, not against the Fignalish, but against the Fire her hat an in the last revolution kept t

WAITING FOR CAMPOS.

The New Governor-General Expected to Reach Cuba on April 15, HAVANA, April 10 (via Key West) .- Brig. Gen. José Jimerrez Moreno, chief of the Governor-General's staff, sailed to-day on the Villapected to arrive by April 15. Gen. Campos will land at Guantanamo or Santiago, and by royal decree becomes Governor-General the

taking of the oath of office here. Governor General Calleja will retire from office upor notice of the landing of Campos, and will sail home on April 20. Gen. Campos is expected to push active opera tions against the insurgents in the province of Santiago de Cuba, which is the only section where insurgents are known to be in any nun ber. Latest advices place the number at 3.000

attendant upon observing the customary formal

divided into bands of '50 to 200 each. Gen The other leaders are: Adit.-Gen. Cospedes Chief Field Officer Col. Estaban Tamayo, Captains Rabi, Porez, Estrada, Bello Guerra, Levis Capote Suarez Papas, Vega, Gondoles Armburo,

and Bera. The insurgents announce that a syndicate has been formed in the United States to furnish money for the revolution, reimbursements being

money for the revolution, reimbursements being gnaranteed from customs receipts when independence is secured. Wealthy and influential tubans here give no aid to the insurgents, and declare the uprising a mistake.

All three parties here pledge support to the Government. The general belief is that the insurrection will soon die out. Gen. La Chambre, in command of the Government forces in Santiago province, reports roving bands in the mountainous section, but no massing of insurgents, and no risings in other provinces. All are under marial law. Troops are stationed at all towns.

On Monday a band of 48 mounted insurgents invaded Puerto Principe province and were attacked by Government forces and defeated. One leader, Panchin Verona, was killed, another was mortally wounded.

A woman and child in a hut were killed by stray balls. Three of the party who landed near Baracoa with Macco, after killing the Captain of the schooner Honora, were captured on Monday. The others fied to the mountains.

The members of the party arrested on Sunday in a supposed attempt on Jaruco barracks, were iberated to-day, except Pedro Lopez, till, and Francisco Paz. The others arrested at Puerto Principe April 5 were also released, including Marquis Santa Lucia.

CUBA FIRED WITH PATRIOTISM. The Insurrection Spreading, and Will Soon Cover the Whole Island.

Mr. W. D. Neill of Brantford, Canada, arrived here on the Ward line steamship Seneca yester day from Havana. He says that the situation there was extremely unpleasant for foreigners. He had been followed, he said, by Spanish spies for weeks.

"The insurrection," he said, "is spreading rapidly, and will soon extend over the whole island. The Government knows this only too well, but it is unwilling to acknowledge it."

Mr. Nelli said that he had gone as far west as Cientuegos, but deemed it unwise to proceed further, as the country is wild, and a traveller is liable to be arrested and shot by the soldlers of one side or the other.

"It is as much as a man's life is worth," he

said, "to speak a word against the Government, particularly in Havana. The reporters of the Havana papers go once a day to the Governor General's palace, where war news is dictated to them seconding to the will of the Governor-General. In case any news is published which has not this authority, the reporter is arrested and the paper is severely disciplined."

Eighteen young men who were foolish snough to make remarks which contained the word government were thrown into cells in Morro Castle on the day before the Seneca left Havana. Among the passengers on the Neueca were several young Cubans who, it was said, had field from the island to except the persecution of the Government troops, who subjected them to the strictest surveillance and to many kinds or ill usage. These men would not speak of the matter, as they intended to return to Cuba some day. General. In case any news is published which day.

The Seneca brought up one of the Living Pictures who went to Cubs three months ago to pose. She is Miss Blanche Murths of this city.

Morses, Carriages, &c. At Public Auction. 300 HORSES.

I. H. DAHLMAN'S

Auction Sale & Commission Stables BETWEEN 24 & 34 AVS., NEW YORK, I will offer to-day at Public Auction 300 horses of all grades, consisting of heavy draught, coach, express, delivery, and general purpose horses—in fact, all kinds

attention to a superior lot of draug t horses weighing from 1,400 to 1,800 pounds, also rome superior driving horses, among which are several handsome matched All horses sold on 48 hours' trial and must be as rep-resented or money refunded. The following consign-ments will be offered to-day:

suitable for every business. I beg leave to call special

H. SHUHLEIN, ILL. DACON BROS., KANSAS, ILI... JOHN PFEIFFER, ABHLAND, O. WILLIAM ANDREWS, BROCTON, ILL. H. B. CARROLL, LOUISIANA, MO.
WM.WAGNER, FREDERICKSBURG, Q. GEO, TARRIS, BELLEVILLE, O. I. H. DAHLMAN, Auctioneer

SPECIAL. On sale, a consignment of first-class, highest grade fancy coach horses, consigned by MESSRS, DAVEN, PORT & CURTIS, GRASS LAKE, MICH., consisting of matched pairs of cobs, &c. The public are invited to call, inspect, and ride behind this consignment.

I. H. DAHLMAN. SPRINKLING WAGONN;
SPRINKLING WAGONS;
WE HAVE THE LATEST AND BEST PATENTS,
SEND FOR CATALOGUE AND PRICES,
WESTERFIELD'S, 61 Thompson at.

TO INVESTIGATE MACEO'S SAILING. The British War Ship Mehawk Ordered to Fortune Island,

NASSAU, N. P., April 10.-The British way ship Mohawk has sailed for Fortune Island, whence cleared the schooner Honor, which landed the insurgent leader Maceo on the Cuhan coast. The orders of the commander of the Mo-hawk are to thoroughly investigate the circum-stances of Maceo's sailing.

Emily Freeburn James, wife of ex-Postmasterieneral James, died of pneumonia last night at the Murray Hill Hotel. She got wet a week ago Sunday while visiting her brother, Major Freeburn of Jersey City, who was ill. The cold she contracted developed into the disease which caused her death. She was born in Herkimer. Her father was Robert Freeburn. On her mother's side she was descended from Ethan Allen. She was distantly connected with Charles Lamb. Mrs. James, with Mrs. Hunt and Mrs. Windom, was present when President Garfield was shot, and Mrs. James held the President's head in her lap.

the President's head in her lap.

Francis H. White, a well-known Brooklyn politicism, died yesterday at his home, 339 Bridge street, after an illness of four weeks, He was 62 years old and had lived in Brooklyn nearly all his life. He served in the Volunteer Fire Department of the city and was a member of the Volunteer Firemen's Association, the Veteran Firemen's Association, the Emerald Society, the St. Patrick's Society, and a number of other organizations. He was some years ago the Democratic candidate for Sheriff of Kings county.

county.

Amy Eleanor Whitmore, who as Amy Eleanor Harvey was noted as a beauty seventy-five years ago, died in Brooklyn yesterday. She was born in England in 1803. She died at the residence of her daughter, Mrs. J. T. Broadhurst, at 320 Greene avenue. Her husband, John Whitmore, was one of the first manufacturers of sand paper in this country. Her brother, George Hervey, received the first telegraph message sent by Morse. He was one of Gen. Morse's intimate acquaintances. Mrs. Whitmore was a friend of William Cullen Bryant and Edgar Allan Poe.

Mrs. Henry M. Storrs, widow of the Rev. Mrs. Henry M. Storrs, widow of the Rev. Dr. Storrs and mother of Assemblyman Charles B. Storrs, died yesterday at her home in Orange. She was the daughter of President Hitchcock of Amherst College, and was born about seventy years ago. At the time of her husband's death Mrs. Storrs was very ill and she never recovered from the shock. Two sons and a daughter survive her.

James Curry, an old resident of Hoboken, died on Tuesday afternoon of paralysis. Mr. Corry was 68 years old, and was for many years engaged as a wholesale butcher in Washington Market, this city. He was the father of Assistant City Clerk Robert V. Curry of Hoboken and father-in-law of Police Commissioner Coyle, Robert Schoen an attack of the Germander. Robert Schoen, an attaché of the German con-sulate in this city, died on Monday night at his home, 76 Bowers street, Jersey City. He will be buried to-day in Weehawken cemetery. He was 70 years old. He was one of the charter members of the Arion Club and a member of the Deutsche Kriegerbund.

John Nix, a well-known resident of Hemp-

John Nix, a well-known resident of Hempstead, died suddenly on his plantation in Mount Pleasant, S. C., resterday. He was the head of the firm of John Nix & Co. of 281 Washington street, this city. He was for many years President of the Hempstead Gas Company.

Addison Crowles as Shariff of Chapteness. Addison Crowley, ex-Sheriff of Chautauqua county and until recently President of the State Bank of Randolph, N. Y., died yesterday, aged 4 years. He was appointed Postmaster of Ran-

Immigrants Robbed at Newark Four German immigrants who landed in Hoboken on Tuesday from the steamer Massachus setts started to walk to Newark yesterday, and reached Briels station, on the Central Railroad reached Briels station, on the Central Railroad of New Jersey, carly in the evening. There they met six men, two of whom were Germans, who engaged them in conversation. The six men held them up on the outskirts of Newark and robbed them. They go: \$40 or \$50, two overcoats, and a pair of trousers. The victims said they were Hugo Kniep, Henry Lucks. George Schneider, and Fritz Kuelch. The police have tried in vain to get the robbers.

New Corporation of Railroad Contractors Formed in Jersey City. Albert O. Beebe, Eugene R. Leland, and Edward R. Thomas of this city, and Samuel Shoebridge and Robert L. Lawrence of Jersey Shoobridge and Robert L. Lawrence of Jersey City have filed articles of incorporation in the County Clerk's office in Jersey City of a contracting company with a capital of \$500,000. The company proposes to build railroads, canal, telegraph lines, steamboat docks, and do general contracting work. Its principal office will be in this city.

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